

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**KENNETH MURRAY,**  
**Petitioner,**

**v.**

**JEFFREY DILLMAN,**  
**Respondent.**

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**Civil Action No. 7:13cv00477**

**FINAL ORDER**

**By: Norman K. Moon**  
**United States District Judge**

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Murray's 28 U.S.C. § 2254 petition is **DISMISSED without prejudice** and this action shall be **STRICKEN** from the active docket of the court.

Further, finding that Murray has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to petitioner.

**ENTER:** This 3rd day of December, 2013.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE